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8 Attorneys for Plaintiffs

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11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 (SAN FRANCISCO HEADQUARTERS)

14 KEN WALTERS, DON DOSER, in their  
15 respective capacities as Trustees of the  
16 OPERATING ENGINEERS HEALTH AND  
17 WELFARE TRUST FUND FOR NORTHERN  
18 CALIFORNIA, et al.

Case No.: C 03-1918 SC

NOTICE OF SUBSTITUTION OF  
ATTORNEY

19 ORDER

20 Plaintiffs,

21 vs.

22 CAL WRECKING, INC., et al.,

23 Defendants.

24 Plaintiffs Ken Walters and Don Doser, in their respective capacities as Trustees of the  
25 Operating Engineers Health and Welfare Trust Fund for Northern California hereby substitutes  
26 James P. Watson, Esq. and Andrea J. Kirkpatrick, Esq. of Stanton, Kay & Watson, LLP, 101 New  
27 Montgomery, 5<sup>th</sup> Floor, San Francisco, CA 94105, as counsel of record for plaintiffs in the above-  
28 captioned matter in place of Tracy L. Mainguy, Esq., 1620 South Loop Road, Alameda, CA 94502.

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1 I consent to the foregoing substitution.

2 DATED: September 16, 2005

TRUST FUND FOR OPERATING ENGINEERS

3  
4 By: Nayra Mainguy  
Title: Collect Lawyer  
5

6 I consent to the foregoing substitution.

7 DATED: September \_\_\_, 2005

OPERATING ENGINEERS LOCAL 3 TRUST  
FUND-MULTI-SERVICES

9  
10 By: \_\_\_\_\_  
Tracy L. Mainguy, Esq.  
11

12 The foregoing substitution is accepted.

13  
14 DATED: September \_\_\_, 2005

STANTON, KAY & WATSON, LLP

15  
16 By: \_\_\_\_\_  
Andrea J. Kirkpatrick  
17 Attorneys for Plaintiffs  
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1 I consent to the foregoing substitution.

2 DATED: September 15, 2005

TRUST FUND FOR OPERATING ENGINEERS

3  
4 By: \_\_\_\_\_  
Title: \_\_\_\_\_

6 I consent to the foregoing substitution.

7 DATED: September 16, 2005

8  
9  
10 OPERATING ENGINEERS LOCAL 3 TRUST  
FUND-MULTI-SERVICES

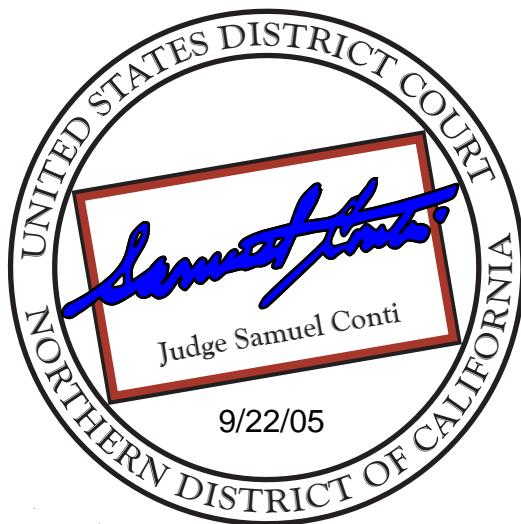
11  
12 By: Tracy L. Mainguy  
Tracy L. Mainguy, Esq.

13 The foregoing substitution is accepted.

14 DATED: September 19, 2005

15 STANTON, KAY & WATSON, LLP

16 By: Andrea J. Kirkpatrick  
17 Andrea J. Kirkpatrick  
18 Attorneys for Plaintiffs



**PROOF OF SERVICE**

CASE NAME: *Ken Walters, et al. v. Cal Wrecking, et al.*  
CASE NUMBER: United States District Court, Northern District of California  
No. C-03-1918 SC

I am a citizen of the United States and a resident of the State of California. I am over the age of 18 and not a party to the within action. My business address is 101 New Montgomery Street, Fifth Floor, San Francisco, California 94105.

On September 22, 2005, I served the following document(s) described as:

## **NOTICE OF SUBSTITUTION OF ATTORNEY**

on the following party/parties:

Ronald Rubenstein  
3260 Blume Drive, Suite 410  
Richmond, CA 94806

**John Joseph Zolczynski  
20676 Jerusalem Grade  
Lower Lake, CA 95457**

(BY MAIL) with postage thereon fully prepaid in the designated area for outgoing mail. I am readily familiar with STANTON, KAY & WATSON's practice of collection and processing correspondence whereby mail is sealed, given the appropriate postage and placed in a designated mail collection area. Each day's mail is collected and deposited with the United States Postal Service after the close of each day's business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct and that this Declaration is executed on **September 22, 2005** at San Francisco, California.

  
Chris Coopey